

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** Chairman Bill Wilson, on March 25, 2009 at 8:30  
A.M., in Room 172 Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Bill Wilson, Chairman (D)  
Rep. Bill Beck, Vice Chairman (R)  
Rep. Michele Reinhart, Vice Chairman (D)  
Rep. Elsie Arntzen (R)  
Rep. Paul Beck (D)  
Rep. Carlie Boland (D)  
Rep. John Fleming (D)  
Rep. Timothy Furey (D)  
Rep. Chuck Hunter (D)  
Rep. Harry Klock (R)  
Rep. Mike Milburn (R)  
Rep. Pat Noonan (D)  
Rep. Scott Reichner (R)  
Rep. Cary Smith (R)  
Rep. Gordon Vance (R)  
Rep. Jeffery Welborn (R)

**Members Excused:** Rep. Shannon Augare (D)  
Rep. Tom Berry (R)

**Members Absent:** None

**Staff Present:** Santella Baglivo, Committee Secretary  
Bart Campbell, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 142, 3/10/2009; SB 192,  
3/10/2009; SB 375, 3/10/2009

Executive Action: SB 287, SB 192, SB 375

**HEARING ON SB 375**

**Opening Statement by Sponsor:**

00:01:13 Sen. Jim Peterson (R), SD 15, opened the hearing on SB  
375, Prohibit real property insurance in amount greater  
than value of improvements.

**Proponents' Testimony:**

00:04:06 Dwight Easton, Farmers Insurance  
00:06:05 Bob Biskupiak, Independent Insurance Agents Association  
of Montana

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:06:55 Sen. Peterson

**HEARING ON SB 142**

**Opening Statement by Sponsor:**

00:08:09 Sen. Gary Perry (R), SD 35, opened the hearing on SB  
142, Repeal unisex insurance law provisions.

**Proponents' Testimony:**

00:09:29 Dan Sullivan, Financial Consultant  
**EXHIBIT (buh66a01)**  
00:19:47 Claas Tuininga, Self, Manhattan, Montana  
00:21:50 Sean Morgan, Self, Kalispell, Montana  
00:28:57 Tom Tuck, Self, Belgrade, Montana  
00:31:43 David Dachs, Self, Helena, Montana

00:35:28 Teresa Lewis Watts, Self, Billings, Montana  
 00:42:28 Doug Lowney, Financial Consultant  
 00:43:49 Greg Van Horssen, State Farm Insurance Company  
 00:45:00 Bruce Spencer, Property Casualty Insurers Association  
 00:45:44 Mary Allen, National Association of Insurance and  
 Financial Advisors

**EXHIBIT (buh66a02)**

00:46:21 John Youngberg, Montana Farm Bureau Federation  
 00:46:59 Dwight Easton, Farmers Insurance

**Opponents' Testimony:**

00:47:33 Linda Gryczan, Montana Women's Lobby  
 00:49:00 Ann Brodsky, Chief Legal Counsel, Governor's Office  
 00:54:48 Jerry Driscoll, Self  
 00:58:02 Lindsay Love, Planned Parenthood of Montana  
 00:59:13 Angie Wagenhals, NARAL Pro-Choice Montana  
 00:59:55 Niki Zupanic, American Civil Liberties Union Montana  
 01:02:17 Mary Arnold, Self, Helena, Montana

**EXHIBIT (buh66a03)**

01:04:54 Claudia Clifford, AARP Montana  
 01:07:01 John Mudd, Executive Counsel, State Auditor's Office

**Informational Testimony:**

01:15:54 Jerry Keck, Administrator, Employment Relations  
 Division, Department of Labor and Industry (DLI)

**Questions from Committee Members and Responses:**

01:16:41 Rep. Smith  
 01:17:05 Ms. Wagenhals  
 01:17:30 Chairman Wilson  
 01:17:39 Mr. Mudd  
 01:19:16 Rep. Smith  
 01:19:48 Sen. Perry  
 01:19:50 Rep. Smith  
 01:19:54 Sen. Perry  
 01:20:11 Rep. Smith  
 01:20:21 Sen. Perry  
 01:20:22 Rep. Smith  
 01:20:50 Mr. Sullivan  
 01:21:50 Rep. Smith  
 01:22:44 Mr. Van Horssen  
 01:23:24 Rep. Smith  
 01:24:15 Sen. Perry  
 01:24:20 Rep. Smith  
 01:24:22 Sen. Perry  
 01:25:38 Rep. Smith

01:25:57 Sen. Perry  
01:26:04 Chairman Wilson  
01:26:08 Rep. B. Beck  
01:27:29 Mr. Mudd  
01:30:38 Rep. Reinhart  
01:31:09 Mr. Sullivan  
01:32:17 Rep. Reinhart  
01:32:26 Mr. Sullivan  
01:33:00 Rep. Reinhart  
01:33:24 Mr. Sullivan  
01:34:32 Rep. Reinhart  
01:34:37 Mr. Sullivan  
01:34:59 Rep. Reinhart  
01:35:33 Mr. Mudd  
01:37:15 Rep. Reinhart  
01:37:15 Mr. Mudd  
01:37:19 Rep. Reinhart  
01:37:24 Mr. Mudd  
01:39:03 Rep. Reinhart  
01:39:13 Mr. Mudd  
01:39:23 Chairman Wilson  
01:39:26 Mr. Mudd  
01:41:43 Chairman Wilson  
01:41:59 Rep. Fleming  
01:42:23 Rep. Welborn  
01:42:27 Rep. Smith  
01:43:10 Sen. Perry  
01:43:49 Rep. Smith  
01:43:56 Sen. Perry  
01:44:13 Rep. Smith  
01:45:01 Mr. Van Horssen  
01:47:34 Rep. Hunter  
01:48:48 Mr. Mudd

**Closing by Sponsor:**

01:51:15 Sen. Perry  
[EXHIBIT \(buh66a04\)](#)

01:58:00 Chairman Wilson called a recess.  
02:16:02 Vice Chairwoman Reinhart resumed hearing.

**HEARING ON SB 192**

**Opening Statement by Sponsor:**

02:16:08 Sen. Ryan Zinke (R), SD 2, opened the hearing on  
SB 192, Small business work comp relief.  
[EXHIBIT \(buh66a05\)](#)

**Proponents' Testimony:**

02:24:11 Brad Griffin, Montana Retail Association  
02:25:01 Jon Bennion, Montana Chamber of Commerce  
02:25:34 Riley Johnson, National Federation of Independent  
Business  
02:28:34 Jason Miller, International Brotherhood of Teamsters  
02:29:27 Nancy Butler, Montana State Fund  
02:30:41 Bob Biskupiak, Independent Insurance Agents Association  
of Montana  
02:32:20 Vanessa Clark, Helena and Great Falls Chambers of  
Commerce  
02:32:53 Jerry Keck, Administrator, Employment Relations  
Division, DLI  
02:34:23 Robert Johnson, Montana AFL-CIO

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:35:13 Rep. B. Beck  
02:36:10 Ms. Butler  
02:36:39 Rep. B. Beck  
02:36:56 Ms. Butler  
02:37:14 Rep. B. Beck  
02:37:26 Ms. Butler  
02:37:31 Rep. B. Beck  
02:37:36 Rep. Welborn  
02:38:17 Sen. Zinke  
02:40:19 Rep. Boland  
02:40:31 Sen. Zinke  
02:41:10 Rep. Boland  
02:41:19 Sen. Zinke  
02:42:46 Rep. Hunter  
02:43:10 Ms. Butler  
02:43:34 Rep. Hunter  
02:43:52 Ms. Butler  
02:44:38 Rep. Hunter  
02:44:58 Ms. Butler  
02:45:32 Rep. Hunter  
02:46:32 Ms. Butler  
02:47:08 Rep. Hunter  
02:47:22 Ms. Butler  
02:47:34 Rep. Hunter  
02:47:45 Ms. Butler  
02:47:53 Rep. B. Beck  
02:48:23 Ms. Butler

**Closing by Sponsor:**

02:48:53 Sen. Zinke

**EXECUTIVE ACTION ON SB 192**

02:51:02 **Motion:** Rep. Reinhart moved that **SB 192 BE CONCURRED IN.**

02:51:14 Rep. Reichner called the question.

02:51:21 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 375**

02:52:05 **Motion:** Rep. Reinhart moved that **SB 375 BE CONCURRED IN.**

02:52:17 Rep. Vance called the question.

02:52:20 **Vote:** Motion carried unanimously by voice vote.

02:53:19 Chairman Wilson called a recess.

03:03:09 Chairman Wilson resumed hearing.

**EXECUTIVE ACTION ON SB 287**

03:03:57 **Motion:** Rep. Reinhart moved that **SB 287 BE CONCURRED IN.**

03:04:10 **Motion:** Rep. Reinhart moved that **SB 287 BE AMENDED.**  
**EXHIBIT** (buh66a06)

**Discussion:**

03:10:11 Rep. Arntzen

03:10:24 Rep. Reinhart

03:10:58 Rep. Arntzen

03:11:00 Rep. Reinhart

03:11:08 Rep. Arntzen

03:11:29 Rep. Reinhart

03:11:59 Rep. Arntzen

03:12:03 Rep. Reinhart

03:12:40 Rep. Arntzen

03:13:39 Rep. Reinhart

03:13:48 Mr. Campbell, Legislative Services Division

03:14:55 Rep. Welborn called the question.

03:15:12 Chairman Wilson

03:15:18 **Vote:** Motion carried 10-8 by roll call vote with, Rep. Hunter, Rep. Klock, Rep. Milburn, Rep. Reichner, Rep. Smith, Rep. Welborn, and Rep. Wilson voting no. Reps. Berry and Augare voted by proxy.

03:16:13 **Motion:** Rep. Reichner moved that **SB 287 BE CONCURRED IN AS AMENDED.**

03:16:19 **Substitute Motion/Vote:** Rep. Reichner made a substitute motion that **SB 287 BE TABLED.** Substitute motion carried 14-4 by roll call vote with Reps. Reinhart, Arntzen, Fleming and Vance voting no. Reps. Berry and Augare voted by proxy.

03:20:04 Rep. Arntzen

**ADJOURNMENT**

03:20:46 Adjournment: 11:00 A.M.

---

Santella Baglivo, Secretary

sb

Additional Documents:

**EXHIBIT ([buh66aad.pdf](#))**